

## DOCKET SECTION

RECEIVED

FEB 19 3 11 PM '98

POSTAL RATE COMMISSION  
OFFICE OF THE CLERK

UNITED STATES OF AMERICA  
POSTAL RATE COMMISSION  
WASHINGTON, D.C. 20268

PRESIDING OFFICER'S  
RULING NO. R97-1/102

Postal Rate and Fee Changes

Docket No. R97-1

### PRESIDING OFFICER'S RULING REVISING SCHEDULE FOR HEARINGS

(February 19, 1998)

Presiding Officer's Ruling R97-1/97 established the revised schedule for receiving the direct case of participants other than the Postal Service. It also allowed for the receipt of testimony filed in response to Notice of Inquiry Nos. 3, 4, and 5, and testimony scheduled to be filed on or before February 20, 1998, by LabOne et al.

By letter dated February 13, 1998, counsel for Advertising Mail Marketing Association advised that witness Schick would be unavailable to appear as scheduled on February 17, 1998 and requested that he be rescheduled to appear on February 20, 1998. At hearings on February 17<sup>th</sup>, I granted this request and rescheduled the appearance of witness Schick. Tr. 20/10116.

Also on February 17<sup>th</sup>, counsel for Magazine Publishers Association (MPA) requested that witness Little, who was scheduled to appear fourth on February 26<sup>th</sup>, be rescheduled to appear second on that same date. Counsel for MPA indicated that he had contacted other interested counsel, and that there was no objection to this rescheduling. I granted this request, and witness Little will appear as our second witness on February 26<sup>th</sup>. Tr. 20/10120.

On February 13<sup>th</sup>, United Parcel Service (UPS) filed two additional pieces of testimony, supplemental testimony of witness Sellick in response to Presiding Officer's

Information Request No. 11 (UPS-ST-2) and supplemental testimony of witness Luciani concerning mail processing costs (UPS-ST-4). At the hearing on February 17<sup>th</sup>, I indicated that it was my intention to schedule the receipt of witness Sellick's supplemental testimony on February 25<sup>th</sup>, following the receipt of his testimony UPS-T-2, unless objections were filed by close of business February 18<sup>th</sup>.

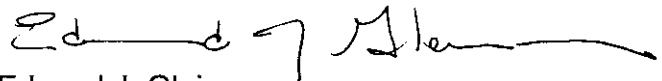
Tr. 20/10117. No objections were received and I will schedule receipt of witness Sellick's supplemental testimony on February 25<sup>th</sup>.

At hearings on February 18<sup>th</sup> it was agreed that receipt of witness Luciani's testimony UPS-T-4 would remain scheduled for February 25<sup>th</sup> and that receipt of his supplemental testimony (UPS-ST-4) would be scheduled for March 3<sup>rd</sup>. Tr. 21/10646. Witness Luciani will appear following the receipt of any testimony filed by LabOne et al. March 3<sup>rd</sup> will also be an appropriate day for cross-examination on the response to Presiding Officer's Information Request No. 13, directed to the Alliance of Nonprofit Mailers.

### RULING

1. The revised Schedule for Hearing the direct case of participants other than the Postal Service, including rebuttal to the Postal Service, is attached as Appendix A.

2. The Postal Service will provide notice, on or before February 27, 1998, if it does not intend to cross-examine witness Luciani on testimony UPS-ST-4, or any witness providing a response to Presiding Officer's Information Request No. 13.



Edward J. Gleiman  
Presiding Officer

REVISED SCHEDULE FOR HEARING  
PARTICIPANTS DIRECT CASES  
February 17-March 3, 1998

***Witness***

Tuesday, February 17, 1998

Andrew (AMMA-T-2)  
Clark (CTC-T-1)  
Threadgill (APPA-T-1)  
Haldi (NDMS-T-2)  
Thompson (OCA-T-100)

Wednesday, February 18, 1998

Peterson (NTC-T-1)  
Willette (OCA-T-400)  
Clifton (ABA/NAA-T-1)  
Bentley (BUG-T-1)  
Bentley (MMA-T-1)

Thursday, February 19, 1998

Ball (FGFSA-T-2)  
Davis (FGFSA-T-3)  
Merewitz (FGFSA-T-1)  
Andrew (RIAA et al.-T-1)  
Stapert (CRPA-T-1)  
Haldi (ANM-T-1)

Friday, February 20, 1998

Bradstreet (AAPS-T-1)  
Green (AAPS-T-2)  
Buckel (SMC-T-1)  
Haldi (NDMS-T-3)  
Callow (OCA-T-500)  
Schick (AMMA-T-1)

Monday, February 23, 1998

Carlson (DFC-T-1)  
Clifton (ABA/EEI/NAPM-T-1)  
Haldi (NDMS-T-1)  
Jellison (PSA-T-1)  
Mullin (PSA-T-2)  
Zwieg (PSA-T-3)  
Collins (OCA-T-700)

***Witness***

Tuesday, February 24, 1998

Erickson (GCA-T-1)  
Chown (NAA-T-1)  
O'Bannon (OCA-T-200)  
Henderson (UPS-T-3)

Wednesday, February 25, 1998

Stralberg (TW-T-1)  
Cohen (MPA-T-2)  
Sellick (UPS-T-2)  
Sellick (UPS-ST-2)  
Luciani (UPS-T-4)  
Sherman (OCA-T-300)

Thursday, February 26, 1998

Otuteye (AISOP-T-1)  
Little (MPA-T-1)  
Donlan (NAA-T-1)  
Hehir (MH-T-1)  
Heath (NNA-T-1)  
Speights (NNA-T-2)  
MacHarg (NAPM-T-1)  
Glick (MPA-T-4)  
Monastro (RIAA et al.-T-2)  
Haldi (VP/CW-T-1)

Friday, February 27, 1998

Crain (ABP-T-1)  
McGarvey (ABP-T-2)  
Cavnar (ABP-T-3)  
Buc (DMA-T-1)  
Glick (MPA-T-3)  
Shew (DJ-T-1)  
Neels (UPS-T-1)  
Smith (OCA-T-600)  
Emigh (NFN-T-1)

***Witness***

Monday, March 2, 1998

Baron (USPS)  
Crowder (AMMA, DMA, MOAA, PSA, Advo)

Bradley (USPS)  
Higgins (MPA)  
Neels (UPS)

Tuesday, March 3, 1998

Testimony from LabOne et al.

Luciani (UPS-ST-4)  
(Response to POIR #13)